

Below is an order of the court.



DAVID W. HERCHER  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re

Wall to Wall Tile & Stone, LLC,  
Wall to Wall Tile & Stone-Oregon LLC, and  
Wall to Wall Tile & Stone-Idaho LLC,

Debtors.

Case No. 19-32600-dwh11  
**LEAD CASE**

(Jointly Administered with Case  
Nos. 19-32599-dwh11 and  
19-32603-dwh11)

**ORDER GRANTING DEBTORS'  
MOTION FOR ORDER  
DETERMINING ADEQUATE  
ASSURANCE TO UTILITY  
COMPANIES**

THIS MATTER having come before the Court upon Debtors' Motions for Order Determining Adequate Assurance to Utility Companies (the "Motion") [Case No. 19-32600-dwh11 ECF No. 8; Case No. 19-32599-dwh11 ECF No. 8; Case No. 19-32603-dwh11 ECF No. 10]; the Court having reviewed the Motion, the Declaration of James Keller in Support of First Day Pleadings, and the United States Trustee's Limited Objection to Debtors Motion for Order Determining Adequate Assurance to Utility Companies [ECF No. 70], and having considered the statements of counsel and the evidence adduced with

**Page 1 of 3 - ORDER GRANTING DEBTORS' MOTION FOR ORDER DETERMINING ADEQUATE ASSURANCE TO UTILITY COMPANIES**

**Tonkon Torp** LLP

888 SW Fifth Avenue, Suite 1600  
Portland, Oregon 97204  
503-221-1440

respect to the Motion at a hearing before the Court (the "Hearing"); the Court having found that (1) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (2) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (3) this is a core proceeding pursuant to 28 U.S.C. § 157(b), and (4) notice of the Motion and the Hearing was sufficient under the circumstances; and after due deliberation the Court having determined that the relief requested in the Motion is in the best interests of Debtors, their estates, and the creditors; and good and sufficient cause having been shown; now, therefore,

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED, and for each utility company that requests a deposit, payment of a deposit equal to one month's average service constitutes adequate assurance of payment in accordance with 11 U.S.C. § 366 unless and until further order of this Court;

2. The amount of such deposits for all or most of Debtors' utilities are set forth on **Exhibit A** attached hereto, although the terms of this Order apply to all of Debtors' utility companies, regardless of whether or not they are listed on the attached **Exhibit A**; and

3. All utility companies are hereby prohibited from altering, refusing, or discontinuing utility service without further order of this Court; provided, however, that this Order is without prejudice to any utility company's right to seek additional or alternative assurance of payment upon further request of this Court.

4. This Order only binds those utility companies who were served with or received actual notice of the Motion.

# # #

I certify that I have complied with the requirements of LBR 9021-1(a).

Presented by:

TONKON TORP LLP

By /s/Ava L. Schoen

Albert N. Kennedy, OSB NO. 821429  
Timothy J. Conway, OSB No. 851752  
Michael W. Fletcher, OSB No. 010448  
Ava L. Schoen, OSB No. 044072  
888 S.W. Fifth Avenue, Suite 1600  
Portland, OR 97204-2099  
Telephone: 503-221-1440  
Facsimile: 503-274-8779  
E-mail: al.kennedy@tonkon.com  
tim.conway@tonkon.com  
michael.fletcher@tonkon.com  
ava.schoen@tonkon.com  
Attorneys for Debtors

cc: List of Interested Parties

# **EXHIBIT A**

## **UTILITY COMPANIES THAT PROVIDE UTILITY SERVICES TO DEBTORS**

<b>UTILITY COMPANIES THAT PROVIDE UTILITY SERVICES TO DEBTORS</b>
---

**VANCOUVER, WASHINGTON**

Utility Provider	Service	Proposed One-Month Deposit
Waste Connections Of Washington, Inc.	Garbage	\$14,942.37
Clark PUD	Electric	\$6,309.20
City Of Vancouver	Water	\$449.00
Comcast	Internet	\$997.66
Comcast	VOIP/Phone	\$3,783.40
NW Natural	Gas	\$49.90

**KENT, WASHINGTON**

Utility Provider	Service	Proposed One-Month Deposit
Republic Services	Garbage	\$1,299.29
Puget Sound Energy	Electric/Gas	\$768.18

**BOISE, IDAHO**

Utility Provider	Service	Proposed One-Month Deposit
Cable One	Internet	\$132.28
City Of Meridian	Water/Sewer/Trash	\$4,577.76
Idaho Power Company	Electric	\$1,403.82

**BEND, OREGON**

Utility Provider	Service	Proposed One-Month Deposit
Bend Broadband	Internet	\$215.27
Cascade Disposal	Garbage	\$263.64
Pacific Power	Electric	\$419.63
Cascade Natural Gas Corporation	Gas	\$64.39

040202/00003/10190147v1

## **CONSOLIDATED LIST OF INTERESTED PARTIES**

*In re Wall to Wall Tile & Stone, LLC, Wall to Wall Tile & Stone-Oregon LLC,  
and Wall to Wall Tile & Stone-Idaho LLC*

**U.S. Bankruptcy Court Case No. 19-32600-dwh11 LEAD CASE  
(Jointly Administered with Case Nos. 19-32599-dwh11 and 19-32603-dwh11)**

### **ECF PARTICIPANTS**

- TIMOTHY J CONWAY tim.conway@tonkon.com, candace.duncan@tonkon.com; spencer.fisher@tonkon.com
- MICHAEL W FLETCHER michael.fletcher@tonkon.com, leslie.hurd@tonkon.com; spencer.fisher@tonkon.com
- ALBERT N KENNEDY al.kennedy@tonkon.com, leslie.hurd@tonkon.com; spencer.fisher@tonkon.com
- AVA L SCHOEN ava.schoen@tonkon.com, leslie.hurd@tonkon.com
- BRAD T SUMMERS summerst@lanepowell.com, docketing-pdx@lanepowell.com; holley@lanepowell.com
- US TRUSTEE, PORTLAND USTPRegion18.PL.ECF@usdoj.gov

### **NON-ECF PARTICIPANTS**

#### **SECURED CREDITORS**

Baffco Enterprises, LLC  
POB 1683  
Brush Prairie, WA 98606

Enterprise FM Trust  
20400 SW Teton Ave.  
Tualatin, OR 97062

#### **UNSECURED CREDITORS COMMITTEE**

Rogerio Baumgarten  
Fortuna Granitos Corp.  
12614 Torbay Dr.  
Boca Raton, FL 33428

Giselle Maranges  
Cosentino North America  
355 Alhambra Circle, Suite 1000  
Coral Gables, FL 33134

Hari Hara Prasad Nallapaty  
Cosmos Granite (West), LLC  
8610 S. 212th St.  
Kent, WA 98032

#### **PROPERTY TAX ENTITIES**

Clark County Treasurer  
POB 9808  
Vancouver, WA 98666-8808

King County Assessments Dept.  
500 4th Ave. S. #708  
Seattle, WA 98104

Ada County Assessor  
190 E. Front St. #107  
Boise, ID 83702

Deschutes County Tax Collector  
POB 7559  
Bend, OR 97701

040202/00003/10190147v1